

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

VIDEO GAMING TECHNOLOGIES,
INC.,

Plaintiff,

vs.

CASTLE HILL STUDIOS LLC, *et al.*

Defendants.

CASE NO. 17-CV-00454-GKF-JFJ

**DEFENDANTS' MOTION TO SEAL MOTION TO EXCLUDE
PLAINTIFF'S EXPERT YORAM WIND AND SUPPORTING DECLARATION**

Pursuant to Local Rule 79.1, and paragraph 2(f) of the Stipulated Protected Order (ECF No. 55) (the "Protective Order"), Defendants Castle Hill Studios LLC, Castle Hill Holdings LLC, and Ironworks Development LLC (together "Castle Hill"), hereby request that the Court enter an order sealing Defendant's unredacted Motion to Exclude Plaintiff's Expert Yoram Wind and Exhibits A-F, H, I, and L to the Declaration of Matthew J. Antonelli ("Declaration") in Support of Defendants' Motion to Exclude Plaintiff's Expert Yoram Wind (collectively, ECF No. 169). In support of this request to seal, Defendants state as follows:

1. Portions of the Motion to Exclude contain information designated by Plaintiff as Highly Confidential Information pursuant to paragraph 2(c) of the Stipulated Protective Order (ECF No. 55).

2. **Exhibit A** to the Declaration consists of an expert report produced by Plaintiff's expert Yoram Wind. Plaintiff designated portions of this document as Confidential or Highly Confidential pursuant to the Stipulated Protective Order.

3. **Exhibit B** to the Declaration consists of a reply report produced by Plaintiff's expert Yoram Wind. Plaintiff designated the reply report as Confidential or Highly Confidential pursuant to the Stipulated Protective Order.

4. **Exhibit C** to the Declaration consists of a "corrected" expert report produced by Plaintiff's expert Yoram Wind. Plaintiff designated portions of this document as Confidential or Highly Confidential pursuant to the Stipulated Protective Order.

5. **Exhibit D** to the Declaration consists of an expert report produced by Defendants' expert James T. Berger. Defendants designated portions of this document as Confidential or Highly Confidential pursuant to the Stipulated Protective Order.

6. **Exhibit E** to the Declaration consists of excerpts from the deposition of Plaintiff's expert Yoram Wind, portions of which were designated as Confidential or Highly Confidential pursuant to the Stipulated Protective Order.

7. **Exhibit F** to the Declaration consists of the expert report of Plaintiff's expert Stacy Friedman, which Plaintiff designated as containing Confidential, Highly Confidential, and Highly Confidential Source Code information pursuant to the Stipulated Protective Order.

8. **Exhibit H** to the Declaration consists of excerpts of the deposition of Jay Seigny, which Plaintiff designated as Highly Confidential pursuant to the Stipulated Protective Order.

9. **Exhibit I** to the Declaration consists of excerpts of the Rule 30(b)(6) deposition testimony of Don Kovach, which Plaintiff designated as Highly Confidential pursuant to the Stipulated Protective Order.

10. **Exhibit L** to the Declaration consists of excerpts of the deposition of James Starr, which Plaintiff designated as Highly Confidential pursuant to the Stipulated Protective Order.

11. Pursuant to Local Rule 79.1, General Order 08-11, and the Protective Order, Castle Hill filed both a public, redacted Motion with public, redacted versions of all exhibits, and a sealed, unredacted Opposition, with sealed, unredacted versions of all exhibits described herein.

WHEREFORE, Defendants respectfully request that the Court enter an Order sealing the Motion to Exclude and Exhibits A-F, H, I, and L to the Declaration of Matthew J. Antonelli.

Dated: October 12, 2018

Respectfully submitted,

/s/ Robert C. Gill

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CERTIFICATE OF SERVICE

I hereby certify that on this 12th day of October, 2018, I caused a copy of the foregoing **DEFENDANTS' MOTION TO SEAL MOTION TO EXCLUDE PLAINTIFF'S EXPERT YORAM WIND AND SUPPORTING DECLARATION** to be filed using the Court's ECF system, which will provide electronic notification of filing to the following counsel for Plaintiff:

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